

Message Text

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PAGE 01 MADRID 06504 190603Z

12

ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 SCCT-01 CIAE-00 DODE-00 NSAE-00

NSCE-00 SSO-00 USIE-00 INRE-00 PM-04 H-02 INR-07 L-03

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TAGS: PINT, SP

SUBJ: COURTS MARTIAL, DEATH SENTENCES AND TERRORISTS

REF: (A) MADRID 6062; (B) MADRID 6388

SUMMARY: COURT MARTIAL TODAY SENTENCED FIVE MORE FRAP MILITANTS TO DEATH. THERE MUCH SPECULATION CABINET MEETING TOMORROW MAY APPROVE AT LEAST SOME OF THESE AND OTHER PREVIOUS DEATH SENTENCES AND THAT EXECUTIONS MAY BE CARRIED OUT SATURDAY, ALTHOUGH THIS BY NO MEANS CERTAIN. MEANWHILE POLICE ENGAGED IN TWO SEPARATE SHOOTOUTS TODAY IN BARCELONA AND MADRID IN WHICH THEY CAPTURED IMPORTANT ETA TERRORISTS. END SUMMARY.

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PAGE 02 MADRID 06504 190603Z

1. COURT-MARTIAL COMMENCED YESTERDAY OF SIX FRAP YOUTHS ACCUSED OF ASSASSINATION OF A CIVIL GUARD IN MADRID ON AUGUST 16. TODAY DEATH SENTENCES WERE IMPOSED UPON FIVE OF THE DEFENDANTS, INCLUDING TWO WOMEN. THE SIXTH WAS GIVEN A 20 YEAR PRISON TERM. THIS COURT MARTIAL WAS HELD UNDER PROVISIONS OF RECENT ANTI-TERRORISM DECREE.

2. THIS COURT MARTIAL FOLLOWS CLOSELY ON HEELS OF SEPT 11-12 COURT MARTIAL WHICH SENTENCED THREE FRAP MILITANTS TO DEATH AND TWO ADDITIONAL FRAP YOUTHS TO 25 AND 30 YEARS' IMPRISONMENT FOR THE EARLIER ASSASSINATION OF A MADRID POLICEMAN ON JULY 14 (REF B). ADDITIONALLY, ANOTHER MILITARY COURT MARTIAL HAD BEEN HELD TWO WEEKS EARLIER OF TWO ETA MILITANTS WHO HAD KILLED A CIVIL GUARD IN THE BASQUE COUNTRY IN EARLY 1974, IN WHICH COURT MARTIAL THE TWO ETA DEFENDANTS, JOSE ANTONIO GARMENDIA AND ANGEL OTAEGUI, WERE ALSO SENTENCED TO DEATH (REF A).

3. BARCELONA FUNERAL FOR POLICEMAN MOST RECENTLY ASSASSINATED ON SEPT. 14, (12TH SUCH ASSASSINATION THIS YEAR) TOOK A MARKED RIGHT-WING NOTE WITH SHOUTING AGAINST ARIAS FOR ALLEGEDLY NOT DEALING HARSHLY AND EFFECTIVELY ENOUGH WITH TERRORISTS.

4. PRESS CARRIES REPORTS OF WHAT APPEAR TO BE INCREASING INCIDENTS IN RECENT DAYS SCATTERED AROUND WESTERN EUROPEAN COUNTRIES OF ANTI-GOS DEMONSTRATIONS AND BOMBING ATTEMPTS AGAINST SPANISH CONSULATES, TOURIST AND AIRLINES OFFICES, AND BANKS, IN PROTEST AGAINST THE VARIOUS DEATH SENTENCES.

5. THERE HAVE ALSO BEEN NUMEROUS ARRESTS OF FRAP AND ETA MILITANTS REPORTED DURING LAST SEVERAL DAYS IN VARIOUS AREAS, NOTABLY IN BARCELONA, MADRID, AND THE BASQUE COUNTRY. TODAY THERE WAS A SHOOTOUT IN BARCELONA BETWEEN POLICE AND ETA IN WHICH ONE TERRORIST WAS KILLED AND ANOTHER 12 REPORTEDLY CAPTURED. IN MADRID, POLICE THIS MORNING TRAPPED TWO WANTED ETA MILITANTS IN AN APARTMENT AND CAPTURED ONE OF THEM, WHO TURNED OUT TO BE MUCH SOUGHT ETA LEADER MUJICA ARREGUI. THE OTHER BASQUE IS REPORTED TO HAVE COMMITTED SUICIDE IN ORDER TO AVOID CAPTURE. DGS SOURCE TOLD EMBASSY THAT TODAY WAS THE BIGGEST ETA HAUL YET.

6. GOVT HAS ALSO CONVOKED TODAY AN EXTRAORDINARY MEETING OF THE CABINET PREPARATORY TO THE FULL CABINET MEETING SCHEDULED FOR LIMITED OFFICIAL USE

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PAGE 03 MADRID 06504 190603Z

TOMORROW. THIS HAS LED TO SPECULATION THAT TOMORROW'S CABINET MEETING (NORMALLY A "DELIBERATIVE" MEETING RATHER THAN THE ONE THAT "DECIDES" MATTERS) WILL IN FACT DECIDE ON SOME OR ALL OF THE DEATH SENTENCES HANDED DOWN TO DATE. (THESE SENTENCES MUST STILL BE CONFIRMED ALSO BY MADRID CAPTAIN GENERAL AND BY MILITARY SUPREME COURT

BEFORE GOING TO CABINET, BUT THESE REMAINING STEPS CAN BE ACCOMPLISHED IN A FEW HOURS). SUBSEQUENT TO ANY CABINET APPROVAL OF

A DEATH SENTENCE, GENERAL FRANCO HAS 12 HOURS IN WHICH HE MAY
COMMUTE DEATH SENTENCES, FAILING WHICH THE EXECUTIONS WOULD BE
PROMPTLY CARRIED OUT.

7. COMMENT: THERE IS NO CERTAINTY THAT PROCESS WILL MOVE AS
RAPIDLY AS SPECULATED, AND SOME OF THE DEATH SENTENCES MAY BE COMMUTED.

SOME WILL CERTAINLY BE CARRIED OUT, HOWEVER, DESPITE THE PREDICTABLE
INTERNATIONAL OUTCRY. THE TWO WOMEN CONDEMNED TO DEATH TODAY,
CAN NOT BE EXECUTED NOW INASMUCH AS THEY ARE REPORTED PREGNANT.
(THE SPANISH JUDICIARY SYSTEM PROHIBITS EXECUTION OF PREGNANT
WOMEN, ALTHOUGH DEATH SENTENCE COULD BE CARRIED OUT LATER.)
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